

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-23 are pending. Claims 1, 2, 6-9, 14-17, and 21-23 are independent. Claims 1, 2, 6-9, 12-17 and 21-23 are hereby amended. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-8 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Publication No. 2003-0051247 to Klopfenstein in view of U.S. Publication No. 2003-0050058 to Walsh, et al.

Claim 1 recites, *inter alia*:

“...calculation means for calculating an occurrence count of each item in the supplemental information as a function of a weighting factor of each item;

selection means for selecting a particular program on the basis of the supplemental information and the occurrence count of each item in the supplemental information ...”
(emphasis added)

As understood by Applicants, U.S. Publication No. 2003-0051247 to Klopfenstein (hereinafter merely “Klopfenstein”) relates to adaptively storing program guide information. Program information for channels not included within a scan list is deleted to save available memory.

As understood by Applicants, U.S. Publication No. 2003-0050058 to Walsh, et al. (hereinafter, merely “Walsh”) relates to dynamic content delivery wherein requests can be made over a different network than the delivery is made.

Applicants respectfully submit that nothing has been found in Klopfenstein or Walsh, taken alone or in combination, that would teach or suggest the above-identified features of claim 1.

Specifically, Applicants submit that both Klopfenstein and Walsh fail to teach or suggest a calculation means for calculating an occurrence count of each item in the supplemental information as a function of a weighting factor of each item and a selection means for selecting a particular program on the basis of the supplemental information and the occurrence count of each item in the supplemental information, as recited in claim 1.

Therefore, claim 1 is patentable. For reason similar to those above, claims 2, 6, 7, and 8 are also patentable.

Claims 9-23 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Publication No. 2003-0051247 to Klopfenstein in view of U.S. Patent No. 6,642,939 to Vallone, et al.

Claim 9 recites, *inter alia*:

“...selection means for allowing a specific user, with identification information, to select from a list of commands, a particular process, and from a list of occurrences, a timing of performing the particular process;

storage means for storing data indicating the timing of controlling the information processing apparatus to perform the particular process and data indicating the particular process to be performed, as a function of the identification information;

input acceptance means for accepting input of the identification information...” (emphasis added)

As understood by Applicants, U.S. Patent No. 6,642,939 to Vallone, et al.

(hereinafter, merely “Vallone”) relates to multimedia schedule presentation system that provides a program guide area which is a list of the programs that are currently airing, was aired, and are scheduled to air. The program guide is semi-transparent and overlays the material that is currently being watched.

Applicants submit that nothing has been found in Klopfenstein or Vallone, taken alone or in combination, that would teach or suggest the above recited features of claim 9. Specifically, Applicants submit that the cited portions of Vallone, specifically column 22, lines 25-53, teach that the user can browse the program guide during commercial breaks because it is semi-transparent and overlays the program currently being watched. This way the user can quickly go back to the program when a commercial is over and the program is back. The format of the program guide is also discussed, i.e. two or three column, and all channels or future of current channel.

Applicant submit that this does not disclose or suggest selection means for allowing a specified user to select from a list of commands, as recited in claim 9.

Therefore, claim 9 is patentable. For reason similar to those described above, claims 14, 15, and 16 are also patentable.

Claim 17 recites, *inter alia*:

“...presentation means for presenting information to a user which allows the user to select whether the same process described in the operation history stored in the storage means is to be performed by the information processing apparatus when a timing condition described in the operation history is met; and

control means for, in the case in which the process is selected to be performed on the basis of the information presented by the presentation means, controlling the information processing apparatus to perform the process at the particular timing...” (emphasis added)

Applicants submit that nothing has been found in Klopfenstein or Vallone, taken alone or in combination, that would teach or suggest the above recited features of claim 17. Specifically, Applicants submit that Klopfenstein and Vallone fail to teach or suggest a presentation means for presenting information to a user which allows the user to select whether the same process described in the operation history stored in the storage means is to be performed by the information processing apparatus when a timing condition described in the operation history is met and a control means for, in the case in which the process is selected to be performed on the basis of the information presented by the presentation means, controlling the information processing apparatus to perform the process at the particular timing, as recited in claim 17.

Therefore, claim 17 is patentable. For reason similar to those described above, claims 21, 22, and 23 are also patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800